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REMARKS

Claims 1, 9, 10, 11, 15, 16, 23, 33, 41, 42, 43 and 44 are amended. Claims 1, 3-11, 13-19, 21-26, 28-34 and 36-52 are pending. In view of the following remarks, Applicant respectfully requests that the claims be allowed and that the application be forwarded on to issuance.

Examiner Interview

Applicant respectfully thanks the Examiner for the time spent on February 8, 2007 discussing the disposition of this case by telephone with Applicant's representative. During the discussion, Applicant's representative and the Examiner discussed the cited art and some claim modifications that would potentially receive favorable treatment by the Examiner. Applicant greatly appreciates the Examiners comments and suggestions in this regard. Applicant believes that such modifications are unnecessary, in the spirit of advancing prosecution of this matter, Applicant has made the clarifying amendments listed above and discussed below.

The Examiner agreed to telephone the undersigned before issuing a subsequent action.

Claims Not Examined

As noted during the interview, new claims 45-52 were added in the last response. These claims were not, however, examined in the present Office Action. The Examiner agreed to not issue a final Office Action but instead would call the undersigned to discuss the application before issuing, if appropriate, another nonfinal Office Action.

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Objection to the Specification

The Specification is objected to as, in the view of the Office, failing to provide proper antecedent basis for the claimed subject matter. In particular, the Office asserts that "clear support and antecedent basis is not found for the term 'a tangible computer-readable media' in the specification..." (Page 2 of Office action).

The Applicant believes that this objection has been fully addressed by way of the amendments to the claims. For this reason, and in view of the arguments made below in regard to the § 101 and § 112 rejections, the Applicant respectfully requests that this objection be withdrawn. Specifically, the subject claims have been amended to recite a "storage" media, support for which can be found in the specification on pages 31-32.

§ 101 Rejections

Claim 41 stands rejected under 35 U.S.C. § 101 because, in the Office's opinion, the claimed invention is directed to non-statutory subject matter. Specifically, the Office asserts that claim 41 is directed to "computer readable media including modulated data signals".

Claim 41 has been amended to recite "computer readable storage media", thus replacing the rejected language. The Examiner indicated that this would traverse the rejection.

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§ 112 Rejections

Claim 41 stands rejected under 35 U.S.C. § 112, second paragraph, for, in the Office's opinion, being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Applicant submits that, in view of the amendment above, the Office's rejection is traversed.

§ 103 Rejections

Claims 1, 5-11, 15-18, 22-25, 29-33 and 37-44 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,799,168 ("Ban"), in view of U.S. Patent No. 6,725,321 ("Sinclair") in further view of U.S. Patent No. 5,875,478 to Blumenau.

Claims 3-4, 13-14, 19, 21, 26, 28, 34 and 36 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Ban in view of Sinclair, in further view of U.S. Patent No. 6,493,807 ("Martwick").

Claims 1, 5-11, 15-18, 22-25, 29-33 and 37-44 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Ban in view of Sinclair, in further view of U.S. Patent No. 6,253,281 ("Hall") and Blumenau.

Claims 3-4, 13-14, 19, 21, 26, 28, 34 and 36 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Ban in view Sinclair and Hall, in further view of Martwick and Blumenau.

Claim Amendments

Many of the independent claims in this case have been amended to recite the notion that the flash medium logic is programmable to permit users to match

particular flash medium requirements of a specific manufacturer. Support for this subject matter can be found, among other places, on page 11, lines 8-17 of the specification.

As discussed during the interview with the Examiner, Applicant did not find this subject matter disclosed or taught in the references of record. As such, Applicant respectfully submits that the claims are allowable over the references of record.

Conclusion

The Applicant asserts that the pending claims 1, 3-11, 13-19, 21-26, 28-34 and 36-52 are in condition for allowance. Accordingly, Applicant requests a Notice of Allowability be issued forthwith. If the Office's next anticipated action is to be anything other than issuance of a Notice of Allowability, Applicant respectfully requests a telephone call for the purpose of scheduling an interview.

Respectfully submitted,

Dated: 2/16/2007 By: /Lance R. Sadler/ Lance R. Sadler Reg. No. 38,605 (509) 755-7251